

Journal of the Senate

SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, January 12, 2021, 2:30 p.m.

The Senate was called to order Pro Forma by Vice President Rick Wilborn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 15, AN ACT concerning financial institutions; enacting the Kansas economic recovery loan deposit program; relating to credit unions, field of membership; banks, trust companies and savings and loan institutions, privilege tax, deduction of net interest received from certain agricultural real estate loans and single family residence loans; amending K.S.A. 75-4237 and 79-1109 and K.S.A. 2020 Supp. 17-2205 and repealing the existing sections, by Committee on Financial Institutions.

SB 16, AN ACT concerning the legislative division of post audit; removing the requirement to submit certain documents thereto; amending K.S.A. 22-4514a, 75-3728c, 76-721 and 79-3233b and repealing the existing sections, by Legislative Post Audit Committee.

SB 17, AN ACT concerning the legislative division of post audit; relating to audits; prohibiting a public agency from charging a fee under the open records act for records requested therefor; amending K.S.A. 2020 Supp. 45-219 and repealing the existing section, by Legislative Post Audit Committee.

SB 18, AN ACT concerning motor vehicles; relating to the registration and regulation of United States and NATO country military surplus vehicles; amending K.S.A. 8-194, 8-195 and 8-196 and K.S.A. 2020 Supp. 8-1486 and repealing the existing sections, by Committee on Transportation.

SB 19, AN ACT concerning roads and highways; designating a portion of United States highway 77 as the CPL Allen E Oatney and SP4 Gene A Myers memorial highway; amending K.S.A. 68-1022 and repealing the existing section, by Committee on Transportation.

SB 20, AN ACT concerning roads and highways; designating a portion of United States highway 69 as the Senator Dennis Wilson Memorial Highway, by Committee on Transportation.

SB 21, AN ACT concerning sales and compensating use tax; relating to countywide retailers' sales tax; approving election by Cherokee county; amending K.S.A. 2020 Supp. 12-187 and 12-189 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 22, AN ACT concerning income taxation; relating to addition and subtraction modifications for the treatment of global intangible low-taxed income, business interest, capital contributions, FDIC premiums, business meals and payment protection program

loans and expenses; expanding the expense deduction for income taxpayers and calculating the deduction amount; providing the ability to elect to itemize for individuals; exemption of unemployment compensation income attributable as a result of identity fraud; increasing the net operating loss for corporations; amending K.S.A. 79-32,117, 79-32,120, 79-32,138, 79-32,143 and 79-32,143a and repealing the existing sections, by Committee on Assessment and Taxation.

SENATE CONCURRENT RESOLUTION No. **SCR 1602**—
By Committee on Judiciary

A PROPOSITION to amend the bill of rights of the constitution of the state of Kansas by adding a new section thereto stating that there is no constitutional right to abortion, and reserving to the people the ability to regulate abortion through the elected members of the legislature of the state of Kansas.

WHEREAS, This proposition to amend the bill of rights of the constitution of the state of Kansas shall be known and may be cited as the Value Them Both Amendment.

Now, therefore:

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the Senate and two-thirds of the members elected (or appointed) and qualified to the House of Representatives concurring therein:

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: The bill of rights of the constitution of the state of Kansas is hereby amended by adding a new section to read as follows:

§ 22. Regulation of abortion. Because Kansans value both women and children, the constitution of the state of Kansas does not require government funding of abortion and does not create or secure a right to abortion. To the extent permitted by the constitution of the United States, the people, through their elected state representatives and state senators, may pass laws regarding abortion, including, but not limited to, laws that account for circumstances of pregnancy resulting from rape or incest, or circumstances of necessity to save the life of the mother."

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

"Explanatory statement. The Value Them Both Amendment would affirm there is no Kansas constitutional right to abortion or to require the government funding of abortion, and would reserve to the people of Kansas, through their elected state legislators, the right to pass laws to regulate abortion, including, but not limited to, in circumstances of pregnancy resulting from rape or incest, or when necessary to save the life of the mother.

"A vote for the Value Them Both Amendment would affirm there is no Kansas constitutional right to abortion or to require the government funding of abortion, and would reserve to the people of Kansas, through their elected state legislators, the right to pass laws

to regulate abortion.

"A vote against the Value Them Both Amendment would make no changes to the constitution of the state of Kansas, and could restrict the people, through their elected state legislators, from regulating abortion by leaving in place the recently recognized right to abortion."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the Senate, and two-thirds of the members elected (or appointed) and qualified to the House of Representatives shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at a special election which is hereby called on August 2, 2022, pursuant to section 1 of article 14 of the constitution of the state of Kansas, to be held in conjunction with the primary election held on such date.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Commerce: **SB 10**.

Federal and State Affairs: **SB 2, SB 11**.

Judiciary: **SB 3, SB 4, SB 5, SB 6, SB 7, SB 8, SB 9**.

Public Health and Welfare: **SB 12**.

Ways and Means: **SB 1**.

Committee of the Whole: **SR 1704**

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

Under the authority of the President, Senator Wilborn referred **SB 22** to the Committee on **Assessment and Taxation**.

COMMUNICATIONS FROM STATE OFFICERS

The following reports were submitted to the Senate and are on file with the Secretary of the Senate:

Kansas Department of Health and Environment annual report on the Stan Clark Pregnancy Maintenance Initiative Program (PMI) (January 1, 2021)

Kansas Department for Aging and Disability Services annual report on the Transitional and Conditional Release of Persons Committed to the Sexual Predator Treatment Program (January 11, 2021)

Office of the Attorney General annual report of the Abuse, Neglect and Exploitation Unit (January 11, 2021)

Kansas State Treasurer Annual Report (January 11, 2021)

MESSAGE FROM THE HOUSE

Announcing adoption of **HR 6001**, a resolution relating to the organization of the 2021 House of Representatives and selection of the following officers:

Ron Ryckman, Speaker of the House

Blaine Finch, Speaker Pro Tem

Dan Hawkins, Majority Leader

Tom Sawyer, Minority Leader
 Susan Kannarr, Chief Clerk
 Foster Chisholm, Sgt. At Arms
 and awaits the pleasure of the Senate.

Announcing adoption of **SCR 1601** a concurrent resolution relating to notifying the Governor that the 2021 session of the Legislature is duly organized and ready to receive communication.

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

Your Committee on **Confirmation Oversight** begs leave to submit the following report:

The following appointments were referred to and considered by the committee and your committee recommends that the Senate approve and consent to such appointments:

By the Governor:

Member, Employment Security Board of Review: K.S.A. 44-709

Valorie Jacobs, to fill a term expiring on March 15, 2023

Commissioner, Kansas Human Rights Commission: K.S.A. 44-1003

Christal Watson, Industry Representative, to fill a term expiring on January 15, 2024

Member, Kansas Lottery Commission: K.S.A. 74-8709

Pete Brungardt, to fill a term expiring on March 15, 2022

Margaret LaRue, to fill a term expiring on March 15, 2024

Member, Kansas Public Employees Retirement System Board of Trustees: K.S.A. 74-4905

James Zakoura, to fill a term expiring on January 15, 2025

Member, Kansas Racing and Gaming Commission: K.S.A. 74-8803

David Moses, to fill a term expiring on January 15, 2024

Larry Turnquist, to fill a term expiring on January 15, 2023

Director, Kansas Water Office: K.S.A. 74-2613

Constance Owen, to serve at the pleasure of the Governor

Member, Pooled Money Investment Board: K.S.A. 74-4221a

Dennis McKinney, to fill a term expiring on March 15, 2022

Tracie Thomas, to fill a term expiring on March 15, 2024

Member, State Banking Board: K.S.A. 74-3004

Mary Berry, to fill a term expiring on March 15, 2021

Irvin Mitchell, to fill a term expiring on March 15, 2023

Lea Tatum-Haskell, to fill a term expiring on March 15, 2020

Leonard Wolfe, to fill a term expiring on March 15, 2023

Chief Hearing Officer, State Board of Tax Appeals: K.S.A. 74-2433

Thomas Browne, to fill a term expiring on January 15, 2021

Member, State Civil Service Board: K.S.A. 75-2929a

Thomas Wright, to fill a term expiring on March 15, 2023

Member, State Corporation Commission: K.S.A. 74-601

Andrew French, to fill a term expiring on March 15, 2024

Administrator, State Department of Credit Unions: K.S.A. 17-2233

Vickie Hurt, to fill a term expiring on December 31, 2021

Member, University of Kansas Hospital Authority: K.S.A. 76-3304

Monte Coffman, to fill a term expiring on March 15, 2023

Gregory Graves, to fill a term expiring on March 15, 2024

Dr. Talal Khan, to fill a term expiring on March 15, 2022

Elizabeth King, to fill a term expiring on March 15, 2022

Maureen Mahoney, to fill a term expiring on March 15, 2023

Robba Moran, to fill a term expiring on March 15, 2022

By the Adjutant General:

Commander, Kansas Air National Guard: K.S.A. 48-205

Col. Chris Ioder, who shall be within the classified service of the Kansas Civil Service Act

By the Attorney General:

Member, Crime Victims Compensation Board: K.S.A. 74-7303

Stuart Hite, to fill a term expiring on March 15, 2022

Richard Samaniego, to fill a term expiring on March 15, 2024

By the State Board of Healing Arts:

Executive Director, State Board of Healing Arts: K.S.A. 65-2878

Tucker Poling, to serve at the pleasure of the Board

REPORT ON ENROLLED BILLS

SR 1701, SR 1702, SR 1703 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on January 12, 2021.

SCR 1601 reported correctly enrolled, properly signed and presented to the Secretary of State on January 12, 2021.

On motion of Vice President Wilborn, the Senate adjourned until 2:30 p.m., Wednesday, January 13, 2021.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

